



MEMORANDUM  
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**TO:** Honorable Chairwoman Sally A. Heyman  
And Members, Intergovernmental, Recreation  
& Cultural Affairs Committee

**DATE:** February 14, 2006

**FROM:** Kay M. Sullivan  
Director, Clerk of the Board Division

**SUBJECT:** IRCA  
Agenda Item No. 4(B)  
Approval of Commission  
Committee Minutes

*Kay Sullivan*

The Clerk of the Board's office is submitting the following Clerk's Summary of Minutes for approval by the Intergovernmental, Recreation and Cultural Affairs Committee:

December 14, 2005

KMS/cp  
Attachment

**INTERGOV., RECREATION & CULTURAL AFFAIRS  
COMMITTEE MINUTES  
DECEMBER 14, 2005**

**ROLL CALL:**

The following staff members were present: Assistant County Manager Alex Munoz; Assistant County Attorney Monica Maldonado; and Deputy Clerks Doris Dickens and Chiquita Polite.

Chairwoman Heyman called the meeting to order at 9:43 a.m.

**Agenda Item 5C:**

Mr. Ronald Austin, Director, Design and Construction, Performing Arts Center (PAC), and Olatunbosum Aluka, Chief of Construction, PAC provided a joint presentation on the status of the Performing Arts Center (PAC) Construction Project. Mr. Austin noted they had been following the Selective Acceleration Report the County Manager presented to the County Commission in September and were making great progress, particularly on the stone exterior enclosure which allowed them to secure the building and to better control the heating and air conditioning. Additionally, he noted the interior infrastructure was near completion and the dry wall should be in place around the first of February. Other accomplishments included the super block project with the City and Commissioner Rolle's Job Fair, which Mr. Austin noted would be addressed by the Chief of Construction. He also noted a three (3) minutes slide presentation on the interior construction presented to Cessar Pelli would be presented by Roberto Esteo (phonetic).

Mr. Olatunbosum Aluka, Chief of Construction, PAC, 240 NE 13 Street, Miami, Florida, noted that since the last Committee meeting, City of Miami Commission donated over \$750,000 toward the Super Block Project, which allowed the City to allocate monies to install new street scape, pedestrian signs and street lights surrounding the PAC. He noted the project would be a two month project (approximately) and staff had worked effortlessly for the past three month to ensure the coordination of the paperwork. Another phase of the Super Block project would commence at 15<sup>th</sup> Street and Biscayne Boulevard and would be completed by August 4<sup>th</sup>. "In March, The FDOT will also start their projects on 22nd Avenue and that was also slated to be completed shortly before final project completion. All three agencies are concurrently working together to ensure that we have a completion and a beautiful perrifur around the PAC," said Mr. Aluka.

Regarding Commissioner Rolle's Job Fair approximately two weeks ago, Mr. Aluka noted this was a successful event that was attended by approximately 800 applicants and eight subcontractors from the Construction Manager's Team who also participated.

Mr. Aluko noted as previously mentioned by Mr. Austin, that Mr. Roberto Esteo, the architect, was available to present the slide presentation. He noted, however, that due to

technical difficulties upstairs, Mr. Esteo would be unable to make the presentation today and it would be made at the January Committee meeting.

Regarding concerns raised by Commission members that had not been addressed, Mr. Pelli for a while, Mr. Austin noted Mr. Pelli would attend the January 11<sup>th</sup> Committee meeting. He also noted members of the Commission and the Foundation be receiving written invitations to an open house on January 11, 2006 and would be available at the open house.

In response to Mr. Austin's comments, Chairwoman Heyman requested invitations to the open house be sent to all Commissioners.

Assistant County Attorney Monica Maldonado noted in addition to the changes listed in the County Manager's memorandum entitled, Requested Changes to the Intergovernmental, Recreation and Cultural Affairs Committee Agenda," the following changes should be noted to today's agenda: Agenda Items 1H2 Supplement, 4A, and 5G should be added; Agenda item 2Q should be withdrawn; and Agenda Item 1F1 Substitute should be amended.

Chairwoman Heyman commended Susanne, PRD, whom she noted was leaving the County. She thanked Ms. Susanne on behalf of the County, and wished her well in her future endeavors.

### **Agenda Item 3C:**

Assistant County Attorney Monica Maldonado read the foregoing proposed ordinance into the record.

Director of Procurement Management, Miriam Singer, provided brief comments regarding the intent of this ordinance, which she noted included a request to extend the State governmental representation contract on a month-to-month basis in order to complete the process for the successor contract. She noted the current contract expired on January 31st and she was seeking a waiver of the Board's rules and procedures to allow this ordinance to be considered at the December 20<sup>th</sup> County Commission, before the contract expired.

Referring to the vendors noted on handwritten page two of this ordinance, Commissioner Gimenez questioned whether Steel, Hector and Davis, LLP still existed.

Assistant County Attorney Hugo Benitez noted the firm should read Squire, Sanders and Dempsey (phonetic).

Chairwoman Heyman asked that this ordinance be amended accordingly.

It was moved by Commissioner Gimenez that this resolution be forwarded to the County Commission with a favorable recommendation with Committee amendment(s) to delete

the vendor Steel, Hector and Davis, LLP and replace that vendor with Squire, Sanders and Dempsey. This motion was seconded by Commissioner Moss, and upon being put to a vote, passed by a vote of 4-0. (Commissioners Jordan and Souto were absent).

Chairman Heyman asked Assistant County Manager Pete Hernandez to prepare a memorandum asking Chairman Martinez to waive the Board's rules and procedures and allow this resolution to be forwarded for consideration at the December 20, 2000 County Commission meeting as requested by Ms. Singer.

(See Agenda Item 1H2)

**Agenda Item 2L**

Chairwoman Heyman stated Commissioner Jordan requested deferral of the foregoing proposed resolution to the next committee meeting.

**Agenda Item 1E1:**

Assistant County Attorney Monica Maldonado read the foregoing report into the record.

Director of Parks and Recreation Department, Vivian Donnell-Rodriguez along with Senior Planners Ben Williams and Jennifer Glatman presented a Power Point presentation on the Greenway Trail Program and the Parks and Recreation Department's role in developing the County's greenways.

Chairman Heyman asked that a report on all of the County's projects relating to the greenways network be given to all committee members.

**Agenda Item 1F2:**

Assistant County Attorney Monica Maldonado read the foregoing proposed ordinance into the record.

The public hearing was opened by Chairwoman Heyman. The public hearing was closed after no one appeared wishing to be heard in connection with the foregoing proposed ordinance.

Hearing no questions or comments, the Committee proceeded to vote on the foregoing proposed ordinance as presented.

**Agenda Item 1F3:**

Assistant County Attorney Monica Maldonado read the foregoing proposed ordinance into the record.

The public hearing was opened by Chairwoman Heyman. The public hearing was closed after no one appeared wishing to be heard in connection with the foregoing proposed ordinance.

Hearing no questions or comments, the Committee proceeded to vote on the foregoing proposed ordinance as presented.

**Agenda Item 1F4:**

Assistant County Attorney Monica Maldonado read the foregoing proposed ordinance into the record.

The public hearing was opened by Chairwoman Heyman. The public hearing was closed after no one appeared wishing to be heard in connection with the foregoing proposed ordinance.

Hearing no questions or comments, the Committee proceeded to vote on the foregoing proposed ordinance as presented.

**Agenda Item 1F5:**

Assistant County Attorney Monica Maldonado read the foregoing proposed ordinance into the record.

The public hearing was opened by Chairwoman Heyman. The public hearing was closed after no one appeared wishing to be heard in connection with the foregoing proposed ordinance.

Hearing no questions or comments, the Committee proceeded to vote on the foregoing proposed ordinance as presented.

**Agenda Item 1G1:**

Assistant County Attorney Monica Maldonado read the foregoing proposed ordinance into the record.

Commissioner Moss requested an update on the County's commitment to the Orange Bowl Committee's efforts to retain Bowl Championship Series (BCS) games in Miami-Dade County.

In response to Commissioner Moss request, Deputy County Manager Pete Hernandez stated the County would fund four Orange Bowl games (at \$150,000 each) and one championship game ( at \$350,000) totaling \$950,000 over the next four years.

Commissioner Moss noted he fully supported this proposed ordinance. He asked the Orange Bowl Committee members to explore the possibility of reinstating the Orange Blossom Classic Parade in Miami-Dade County.

Commissioner Seijas questioned how long was the County committed to funding the Orange Bowl Committee.

In response to Commissioner Seijas' inquiry, Mr. Chris Knight, Orange Bowl Executive Committee, stated the funding amounts corresponded with current contracts. He noted the County was in competition with Atlanta, Orlando and Jacksonville for the BCS games and the requested funding was needed for the County to sustain its competitive advantage.

Commissioner Seijas requested Deputy County Manager Pete Hernandez to provide her with a report identifying the total amount of contributions made to the Orange Bowl Committee from individuals/organizations outside Miami-Dade County.

**Agenda Item 2C:**

Assistant County Attorney Monica Maldonado read the foregoing proposed ordinance into the record.

Commissioner Moss stated the importance of placing aesthetics, landscape and landscape maintenance as a high priority throughout the County. He noted the development of an aesthetics master plan would require that:

1. Each department develop a specific aesthetics plan for its facilities consistent with the County aesthetics master plan;
2. Each departments' aesthetics plan be a part of its annual business plan as required by the governing for results;
3. Each departments' aesthetics plan be included as an area for evaluation for department directors and their departments;
4. Each department's aesthetics plan be incorporated into the annual budget process.

Commissioner Moss emphasized the need for commissioners to make major commitment and a major policy statement if the intent was to follow through on this resolution. He also noted he was trying to get commissioners beyond the dialogue to actually implement policy that incorporates their ideals and goals and to ensure that an aesthetics master plan would be considered. Commissioner Moss maintained that in order for Miami-Dade County to become a world class community, they needed to follow through on this proposed resolution which would ensure that aesthetics would become a major priority consideration in the process of planning and implementing projects.

Using the aesthetics in the upper deck garden at the Miami-International Airport as an example, Chairwoman Heyman noted this resolution was long overdue.

Commissioner Gimenez commended Commissioner Moss for his leadership on this issue. Referring to the standards applied in Paris, he noted this County needed to raise its standards. He asked that the standards be increased in the recommendations and that these recommendations include a layout of the roadways, the buildings, the aesthetics components of future projects, and the canopy or the lack thereof. The recommendations should also include plans to clean up blighted or unsightly areas of the County, to provide

code enforcement for aesthetics purposes such as citing property owners for un-kept open lots or lots used for dumping. He also noted he looked forward to reviewing the recommendations.

Commissioner Souto noted efforts to improve the aesthetics of this community must begin at the neighborhood level and efforts to implement the plan presented by Commissioner Moss in this resolution must be coordinated with police departments, the School Board, the entire County Administration, and individuals from the private sector.

Commissioner Moss commended Alice Roberson and David Cardinas for their work and diligent efforts in assisting the Office of Community Image.

Assistant County Manager Pete Hernandez reassured Committee members that the County Administration would follow through to improve the County's image.

Chairwoman Heyman noted he had repeatedly asked Assistant County Manager Hernandez to meet with Administrative Judge Sam Sloan to explore the feasibility of using the Court's Community Service Program – through Team Metro – to take advantage of non-skilled labor to pick up garbage, paint over graffiti, repair and replace signs, etc.

Commissioner Seijas noted Chairwoman Heyman's proposal was a good ideal that might prove successful. She noted, however, the County must be careful in engaging these workers because they would require a lot of supervision. She suggested Team Metro coordinate with the Department of Public Works and other departments to determine which department(s) had the ability to provide close supervision of these workers.

Commissioner Moss noted, for the record, that this was policy and this Committee expected the County Manager to follow through and develop a policy and plan to change the image of this community.

Commissioner Gimenez noted he fully support Commissioner Moss on this issue. "It has all the ramifications mentioned by Commissioner Moss, but also has public safety ramifications. I actually subscribe to the broken windows theory; that if a place looks like its crime ridden, it will be if it isn't already. One of the things that they did in New York and some other areas to try to turn that city around was they started working on the small details (on the broken windows). They didn't allow broken windows. They didn't allow an area to look crime ridden and once it stopped looking crime ridden, the criminals went somewhere else," said Commissioner Gimenez. He reiterated that the County's standards needed to be raised.

Deputy County Manager Pete Hernandez stated his commitment to follow through with the plan to improve the County. He also noted he would report at the next committee meeting specific actions.

**Agenda Item 1F1 Supplement:**

Assistant County Attorney Monica Maldonado read the foregoing proposed ordinance and noted it should be amended to *indicate that this ordinance shall become effective 120 days from the date of adoption on handwritten page 31, typed page 28, in lieu of February 6, 2006; to indicate "more than 50 residential unit on handwritten page 15, typed page 12, in lieu of 50 residential units or more; and to replace the word "may" with "must" to indicate that the fee payer" must" request local park space determination.*

Chairwoman Heyman opened the public hearing and the following individual(s) appeared in support of this resolution.

Ms. Truly Burton, Builder's Association of South Florida, noted the BASF had been working with staff for the past six months on this ordinance and that the BASF hired a consultant firm to scrutinize the fees and ensure that the approach was fair and that the proper credits were given. She noted although the BASF did not object to this proposed fee increase, she wished to raise the following important points:

- 1) that the four month grace period was to ensure that the permits in the pipeline was subject to the existing fee, rather than the proposed fee;
- 2) that the fee be phased in to help reduce the impact on home/property buyers;
- 3) that credits for general obligation bond monies be reverted to the impact fees to ensure that home/property buyers were not required to pay twice; and
- 4) that a working group had been established to review the impact fee and interdepartmental fees incurred by the departments and identify efficiencies to minimize those fees.

Chairwoman Heyman clarified the intent of this proposed resolution, noting it was only applicable to new homes, the Unincorporated Municipal Service Areas (UMSA), and would be phased in over a four month period. She noted affordable housing and workforce housing would be exempted from this proposal.

Commissioner Seijas questioned why this fee would not be applicable to commercial construction and the justification for limiting the fee to residential construction.

Ms. Vivian Rodriguez, Director, Parks and Recreation Department, responded, noting impact fees are charged to people with families living in neighborhoods that would use local parks.

Ms. Barbara Falsy, PRD, also responded. She noted the parks impact fee was established based on persons per dwelling unit. The original intent was for people/families living in homes who were primary users of local parks.

Hearing no questions or comments, the Committee proceeded to vote on the foregoing proposed ordinance as presented.



**Agenda Item 2D:**

Assistant County Attorney Monica Maldonado read the foregoing proposed ordinance into the record. Hearing no questions or comments, the Committee proceeded to vote on the foregoing proposed ordinance as presented.

**Agenda Item 2E:**

Assistant County Attorney Monica Maldonado read the foregoing proposed ordinance into the record.

Hearing no questions or comments, the Committee proceeded to vote on the foregoing proposed ordinance as presented.

**Agenda Item 2F:**

Assistant County Attorney Monica Maldonado read the foregoing proposed ordinance into the record.

In response to Commissioner Moss inquiry, Mr. Joe Rascoe, Director of Office of Intergovernmental Affairs provided a brief overview of the purpose of the resolution.

Commissioner Seijas read section four of the proposed resolution into the record and stated her concerns. She also recommended a performance evaluation be developed for the Director of the Office of Intergovernmental Affairs in March 2006.

In response to Commissioner Seijas' comment, Chairwoman Heyman suggested the performance evaluation in March 2006 for the Director of the Office of Intergovernmental Affairs be conveyed at the first of the year.

Chairwoman Heyman requested the Office of Intergovernmental Affairs Director provide all Commissioners with the names of House members who had committed to bills sponsored by Miami-Dade County and indicate which House member supports which bill.

**Agenda Item 2G:**

Assistant County Attorney Monica Maldonado read the foregoing proposed ordinance into the record.

Hearing no questions or comments, the Committee proceeded to vote on the foregoing proposed ordinance as presented.

**Agenda Item 2H:**

Assistant County Attorney Monica Maldonado read the foregoing proposed ordinance into the record.

Hearing no questions or comments, the Committee proceeded to vote on the foregoing proposed ordinance as presented.

**Agenda Item 2I:**

Assistant County Attorney Monica Maldonado read the foregoing proposed ordinance into the record.

Hearing no questions or comments, the Committee proceeded to vote on the foregoing proposed ordinance as presented.

**Agenda Item 2J:**

Assistant County Attorney Monica Maldonado read the foregoing proposed ordinance into the record.

Hearing no questions or comments, the Committee proceeded to vote on the foregoing proposed ordinance as presented.

**Agenda Item 2K:**

Assistant County Attorney Monica Maldonado read the foregoing proposed ordinance into the record.

Hearing no questions or comments, the Committee proceeded to vote on the foregoing proposed ordinance as presented.

**Agenda Item 2M:**

Assistant County Attorney Monica Maldonado read the foregoing proposed ordinance into the record.

Hearing no questions or comments, the Committee proceeded to vote on the foregoing proposed ordinance as presented.

**Agenda Item 2N:**

Assistant County Attorney Monica Maldonado read the foregoing proposed ordinance into the record.

Hearing no questions or comments, the Committee proceeded to vote on the foregoing proposed ordinance as presented.

**Agenda Item 2O:**

Assistant County Attorney Monica Maldonado read the foregoing proposed ordinance into the record.

Hearing no questions or comments, the Committee proceeded to vote on the foregoing proposed ordinance as presented.

**Agenda Item 2P:**

Assistant County Attorney Monica Maldonado read the foregoing proposed ordinance into the record.

Commissioner Seijas directed questions regarding the cost of installing lightning protection devices in all County parks.

In response to Commissioner Seijas' inquiry, Assistant County Manager Alex Munoz stated the cost of installation of the lightning protection devices is approximately \$900,000.

Chairperson Heyman questioned whether the cost of installing the devices was budgeted.

In response to Chairwoman Heyman's inquiry, Ms. Vivian Donnell-Rodriguez, Parks and Recreation Department Director stated the cost was not budgeted. She also noted a study was completed and she would make a budget request during the next budget process.

Commissioner Gimenez recommended Parks and Recreation Director meet with a meteorologist to determine which playing field and other open areas within County parks were more susceptible to lightning strikes and to begin installing lightning protection devices starting with parks with the highest risk to lightning and working downwards to the lowest risk.

Commissioner Souto stated the budget should include funding for installation of cameras in County parks especially with high public usage and those that have had high crime rates.

Chairwoman Heyman asked Assistant County Manager Alex Munoz to explore the possibility of having developers install lightning protection devices as a part of the developmental projects currently underway within County parks.

Chairwoman Heyman asked Assistant County Manager Alex Munoz to submit a report identifying funding for the installation of cameras within parks at the January 12, 2005, Committee meeting.

Following discussion regarding purchasing cameras and installation of cameras in County parks in a timely manner, Commissioner Moss asked Assistant County Manager Alex

Munoz to explore the possibility of using cameras purchased by the County during the Free Trade of the Americas for this purpose.

**Agenda Item 3A:**

Assistant County Attorney Monica Maldonado read the foregoing proposed ordinance into the record.

Hearing no questions or comments, the Committee proceeded to vote on the foregoing proposed ordinance as presented.

**Agenda Item 3B:**

Assistant County Attorney Monica Maldonado read the foregoing proposed ordinance into the record.

Hearing no questions or comments, the Committee proceeded to vote on the foregoing proposed ordinance as presented.

**Agenda item 3D:**

Assistant County Attorney Monica Maldonado read the foregoing proposed ordinance into the record.

Hearing no questions or comments, the Committee proceeded to vote on the foregoing proposed ordinance as presented.

**Agenda Item 3E:**

Assistant County Attorney Monica Maldonado read the foregoing proposed ordinance into the record.

Hearing no questions or comments, the Committee proceeded to vote on the foregoing proposed ordinance as presented.

**Agenda Item 5A:**

Mr. Jeff Peel, Director of Film and Entertainment Department, gave an oral update on the progress of the appointments to the Film & Entertainment Board.

Chairwoman Heyman requested the Office of Film and Entertainment Director continue to provide Commissioners with nominees for appointment to the Film and Entertainment Advisory Board.

Commissioner Moss asked the Film and Entertainment Director the status of his appointment to the Film and Entertainment Advisory Board.

In response to Commissioner Moss's inquiry, Mr. Peel stated the appointee moved to Broward County and he would submit a nominee to replace his appointee.

**Agenda Item 5B:**

Assistant County Attorney Monica Maldonado read the foregoing proposed ordinance into the record.

Mr. Michael Spring, Director of Cultural Affairs Department, provided an update on the construction progress of the South Miami Dade Cultural Arts Center. He advised that the groundbreaking ceremony held on November 29, 2005 was successful and received excellent coverage in print and broadcast media. He noted a state grant was approved in the amount of \$500,000 for the project and was being sent to the Florida State Legislature for funding and was part of the County's legislative package.

Commissioner Moss commended the Cultural Affairs Department's staff on the groundbreaking ceremony.

Commissioner Seijas asked Mr. Spring to provide an update on Tourist Development Council (TDC) projects in the City of Hialeah.

In response to Commissioner Seijas' inquiry, Mr. Spring stated he met with the Miami-Dade County Public School Board and finalized the booking and rental policies. He noted the School Board would vote on the policies at their next meeting in January. Mr. Spring pointed out that the Tourist Development Council (TDC) grants were approved at the last County Commission meeting for two groups to perform at Hialeah High School.

Commissioner Seijas requested the Cultural Affairs Department Director to defer all recommendations for Tourist Development (TDC) grant awards, pending an update on the status of all TDC projects.

Commissioner Souto asked Assistant County Manager Alex Munoz to work with the Department of Cultural Affairs Director to review the feasibility of developing a Cultural Arts Center at Tropical Park.

**Agenda Item 5F:**

Assistant County Attorney Monica Maldonado read the foregoing proposed ordinance into the record.

Ms. Judy Zito, Chief Information Officer, Miami Dade County provided a presentation of the 311 Answer Center's performance. She advised the Call Center had been in operation since March 29, 2005, and was launched to the public on September 19, 2005. She also noted the hours of operation were 8 AM – 8 PM, five days a week and in late January 2006 or early February 2006, the hours of operation would include weekends. Ms. Zito stated a Quality Assurance program has been implemented to monitor the

activity and ensure delivery of quality information and good customer service. She noted there was a steady increase in call volume, specifically after Hurricane Rita.

Commissioner Gimenez asked the Chief Information Officer, Judy Zito, to provide each Commissioner with the performance standards for the 311 Answer Center and to indicate who developed the standards.

Commissioner Heyman recommended Ms. Zito explore the possibility of establishing an employee hotline for County employees as a part of the 311 system.

Commissioner Moss suggested the Chief Information Officer, Judy Zito, work with Florida Power & Light Company to expedite efforts to repair street lights that were damaged by Hurricane Wilma.

### **Agenda item 1H2:**

Chairwoman Heyman recommended that the County's legislative package be amended to include a deadline when submitting attorney and expert witness fees incurred before July 1, 2004.

Commissioner Seijas stated her concern with the language in the Baker Act, Chapter 394 (State legislation package) and suggested that it be amended to state "*to exempt the Guardian Ad Litem from being personally liable for making healthcare decisions for mentally ill participants in the program.*"

Chairwoman Heyman requested Assistant County Attorney Jess McCarty to take appropriate action to amend the legislative packages as stated by Commissioner Seijas.

Mr. Joe Rasco, Director of Office of Intergovernmental Affairs, provided a brief overview of the legislative packages submitted to the Committee and requested the Board's rules and procedures be waived to allow the proposed amendments be forwarded to the County Commission without Committee review.

Chairwoman Heyman asked Deputy County Manager Pete Hernandez to forward this report for consideration by the County Commission on January 24<sup>th</sup>, along with Agenda Item 3C.

(See Agenda Item 3C)

### **Non-Agenda Item:**

Commissioner Souto requested Assistant County Manager Alex Munoz provide a status report on the efforts to repair County parks located in District 10 that were damaged by Hurricane Wilma.

### **ADJOURNMENT**

There being no further business to come before the Committee, the meeting adjourned at 12:00 p.m.